

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

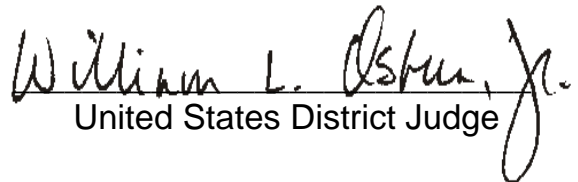
RAY BELTRAN,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:07CV908
	)	
STATE OF NORTH CAROLINA,	)	
	)	
Respondent.	)	

**J-U-D-G-M-E-N-T**

On December 3, 2007, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the petition be dismissed for failure to apply to the Fourth Circuit Court of Appeals for an order authorizing this district court to consider the current petition as is required by 28 U.S.C. § 2244. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

  
United States District Judge

DATE: February 22, 2008